

COMMENTS TO FCC ON NOTICED OF PROPOSED
RULEMAKING
MB DOCKET NO. 07-172, RM-1338.

FROM JAMES T. WHITAKER
PRESIDENT
CRESTVIEW BROADCASTING CO.
Licensee of WJSB-AM Daytime
Crestview, Florida

We totally support the concept of allowing Daytime stations such as ours being able to utilize an FM translator to provide a second local nighttime service to the City of Crestview, Florida and the North Okaloosa County area.

There are currently six AM licenses in Okaloosa County. Five of these are located in the south end of the county and none of them provide any semblance of a night time AM service to our area of the county including the county seat Crestview, Florida. Last year our consultant did a nighttime study for us. For us to operate WJSB-AM with a night time directional system would require 14 acres of land located within one of the most expensive pieces of real estate in our city. The entire 300+ acres was purchased by one of the major high end residential developers in the country at a price of more than \$80,000 per acre. They will not even consider selling any of that land let alone allow a two tower directional system to be built anywhere near it. So even if the land could be purchase when we add the cost of building a second transmitter site and two towers, it just would not be economically feasible to do this. We could afford to use our old class A FM transmitter and antenna for a translator service.

WJSB-AM has provided local community service to Crestview since 1953.

Back in the late 70's the economic conditions in our area took a very serious downturn. Many locally owned businesses that were

regular advertisers went out of business after one of the big superstores was built here. Within one year our monthly revenues were down so severe we reduced our staff from 14 to 4 people. We then began simulcasting the same programming on WJSB-AM and WAAZ-FM. Market conditions have changed over the past five years. For most of the years from 1940 til 2000 the majority of the population in this county was south of the Air Force Base and the majority of the radio stations built were in that area. Crestview now is the largest city in the county and the growth rate of this entire area justifies our returning to providing separate local programming on our AM. We have enough faith in providing a separately programmed AM service for our area that we have placed an order for a new AM transmitter that will replace our 1950's era transmitter in February of this year. We will then begin programming WJSB-AM with totally separate programming. We would love to broadcast local sports like little league and middle schools and even high school basketball and baseball. These sports do not generate listener interest outside of our immediate city area and thus broadcasting them on our 100,000 watt WAAZ-FM really would not be logical. And we have been the only big signal affiliate for the Atlanta Braves for many years and this does use all of our evening hours from April thru September.

If we could provide a second local nighttime service to our city we would broadcast the local sports events mentioned above along with other events that are of interest to this city on that service. We feel that our FM signal provides a more regional programming service to North Florida and South Alabama.

Regarding the power limitations of the proposed FM translators: The FCC comments in the Proposed Rulemaking that "FM Translators are limited to a maximum effective radiated power of 250 watts....."

The Commissions comments under Technical Issues in the NPRM based on the NAB petition ..."would allow AM stations to operate FM translators to retransmit their AM programming as a fill-in

service, as long as no portion of the 60 dBu contour of the FM translator exceeds the lesser of: (a) the 2mV/m daytime contour of the AM station or; (b) the 25-mile radius of the AM transmitter site.”

WJSB-AM comments on this issue; a 250 watt effective radiate power from a translator antenna located on our current AM-FM tower probably would not provide service to either our 2 mV/M daytime contour or to a 25 mile radius of our AM transmitter site. We would ask the Commission to consider changing the 250 watt maximum to allow each applicant to submit an application using whatever ERP would be need to accomplish one of the two desired service standards proposed by the NAB.

We totally agree that Daytime Only stations such as our WJSB-AM should be allowed to continue providing programming service via the FM translator during the nighttime hours that AM must be off the air.

We do not believe it would be appropriate to deny the holder of a Daytime AM license the opportunity to broadcast via one of these new FM translators if they also owned another Fulltime FM service. In the designated Fort Walton Beach, Florida market one licensee may own up to five licenses. We have one operator with 4 FM's and 1 AM, one operator with 2 FM's and 1 AM, one operator with 3 FM's, one operator with 1 Fm, and until just recently one operator with 2 AM's. ALL of these signals are located in the south end of our county which is unique in that Okaloosa County and both county's on each side of ours are divided in the middle by the largest Air Force Base in the world(Eglin AFB). Indeed most of the FM signals in the south end of Okaloosa County do not have a 60 dBu signal over our County Seat, which is our city of license. And as mentioned earlier NONE of the AM services in the south end of the county provide nighttime, and realistically very marginal daytime signals over our city.

As to LPFM's. We do not believe they should be used to carry any of the programming that the local AM station would originate. In fact we would suggest the Commission seriously consider moving ALL LPFM operations to the frequencies immediately below 88.1, in other words the area now used by channel 6 analog TV stations. And the commission should consider allowing additional Non-com FM's in this expanded FM band. The commission can certainly direct that manufacturers produce AM/FM radio's that will receive this expanded FM band. Moving all LPFM operations to this new 6mhz of spectrum would make it technically much more feasible to enact this wise proposal of the Commission's to provide FM Translator service for Daytime AM and also for those AM stations that have such low nighttime authorizations as to be very limited in service areas.

Additionally we believe any new translators licensed should be first assigned to this AM on FM translators concept before any non-local programmers are granted translators. We hope the Commission truly wants to see more LOCAL programming. When we devoted two hours to live remotes welcoming our National Guard back from Iraq or our high school band back from being in the Macy's Day Christmas parade...we told our listeners; this is what our local radio stations are here for...and you'll never hear this on satellite radio!"

We encourage the Commission to adopt this proposed rulemaking as promptly as possible. We would be ready to commence operations this year if it were approved.